

REMARKS

In response to the claim objections, Applicant has amended the claims as suggested by the Examiner by renumbering claims 14-20 to claims 13-19. Also, claim 19 has been amended to correct a grammatical error.

The Examiner also rejected claims 1-9 under 35 USC § because the claimed invention is directed to non-statutory subject matter in that nothing more than manipulated abstract ideas are set forth. In response to this, Applicant amended independent claim 1 to specifically set forth of maintaining information on a server and providing a selection of offerings with respect to two or more plurality of service providers from said server at one of said order terminals. Thus, it is clear the claim as set forth by independent claim 1 is effectuated through the use of terminals and servers in software program thereon. Accordingly, it is respectfully submitted that claims 1-9 present patentable subject matter and are not directed to mere abstract ideas.

The Examiner rejected claims 1-19 under 35 USC § 102(b) as being anticipated by Kodak (a collection of prior art cited in PTO-892, Items: U-V). The present invention is directed to a unique method and system whereby the user has an option of selecting a number of different providers, however, the selection presented to the user is presented in accordance with certain business relationships. For example, claim 1 is directed to a method for ordering digital photo services over a communication which includes providing a plurality of photo service providers and a plurality of order terminals. Each of the order terminals is associated with one of a plurality of business entities. Claim 1 further includes maintaining information on a server with respect to business relationship between the plurality of photo service providers and said plurality of business entities. The photo service providers are not necessarily the same as the plurality of business entities. Thus, there are business relationships between various service providers and various business entities. These business relationships between business entities and service providers can effect the offering that is submitted at the order terminal. Claim 1 specifically sets forth providing a selection of offering with respect to two or more of said plurality of service providers from said server at one of said order terminals based on said business relationship. For example, as set forth in the specification at page 15, these

business relationships can include competitive relationships and friendly relationships which not only can affect the order in which the service providers are listed, but may also affect the prices of the goods or services being offered. As set forth at page 15, lines 12-13, a service provider may choose to offer different prices for the same services depending upon whether the order is placed from an order terminal associated with a domestic friendly or a neutral business relationship.

It is respectfully submitted that the cited Kodak publications do not teach or suggest the invention as currently set forth. In the cited publications, there is no ability for the user at a terminal to select who will be fulfilling the order. Quite the contrary, when they are at, for example, the CVS site, the user can only select offerings that are provided by that particular site. There is no option of selecting various different service providers. Furthermore, there is no teaching or suggestion of providing a system wherein the selection of service providers being displayed is based on the business relationship associated with the order terminal. LightSurf technology is simply the technology used to implement the system and is not directed to providing different service providers or having the ability to provide a selection of different offerings with respect to two or more of said plurality of service providers. The users at the CVS site have no ability for selecting the service provider but instead are directed to single providers. Further, as previously discussed, there is no teaching or suggestion for providing selections of service providers based on business relationships associated with particular order terminals and established business relationships as taught and claimed by Applicant.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.